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THE LAKHER DISTRICT (AGRICULTURAL LAND) Act, 1979.

AN ACT

to provide for the control over the agricultural land in the Lakher District.

PREAMBLE.— Whereas it is necessary to provide for the regulation and control of agricultural land in the Lakher District with a view to protect and promote the interest of the inhabitants thereof ;

It is hereby enacted in the Thirtieth Year of the Republic of India as follows :—

1. SHORT TITLE, EXTENT AND COMMENCEMENT .—
   (1) This Act may be called the Lakher District (Agricultural land) Act, 1979
   (2) It extends to the whole of the Lakher Autonomous District.
   (3) It shall come into force at once.

2. DEFINITIONS .— In this Act, unless the context otherwise requires,
   (a) "Administrator" means the Administrator of the Union territory of Mizoram appointed under article 239 of the Constitution ;
   (b) "allotment" with respect to land means allotted in writing by the Executive Committee or any Officer authorised by it in writing and registered in the District Council Office ;
   (c) "District" means the LAKHER AUTONOMOUS DISTRICT ;
   (d) "District Council" means the Lakher District Council ;
   (e) "Executive Committee" means the Executive Committee of the Lakher District Council ;
   (f) "farm" means cattle farm, poultry farm, fish farm and shall also include LEIPALI (wet paddy cultivation) and garden (fruits, vegetables, sugar cane, trees, bambcos, etc);
   (g) "land" includes all lands either vacant or occupied within the District and also benefits to arise out of lands, and things attached to the earth or permanently fastened to anything attached to the earth, but shall not include minerals, mineral oil, natural gas or petroleum ;
   (h) "prescribed" means prescribed by rules ;
   (i) "vacant land" means any land which has not been allotted to any one, whether occupied or unoccupied and over which nobody has acquired

3. APPLICATION OF THE ACT .— This Act shall apply to all lands within the District, except the following :—
   (a) Land included in the State Reserved Forest ;
   (b) The soil of all Government and public road ;
   (c) All lands in the Station Reserves of Saiha, Tuipang, Tongkalong, Tuipui Ferry or any other area or areas as may be notified from time to time by the Executive Committee.

4. ALLOTMENT .— (1) The Executive Committee or any Officer authorised by it in writing shall have the power to allot any vacant land for the purpose of any farm.

(2) All such allotments shall be made by issue of patta or periodic patta in the prescribed form.

(3) The Executive Committee may, by rules, impose such conditions as it may deem reasonable on all allotments of lands made under sub-section (1) of this section in the interest of general public or of Scheduled Tribes.

5. LAND TO BE OCCUPIED ONLY UNDER PATTA .— No person shall occupy and take possession of any land unless alloted and patta or periodic patta obtained in accordance with the provisions of this Act.

6. PATTA FOR LANDS ALREADY OCCUPIED .— (1) All lands already occupied under any pass or permit granted by any authority before the commencement of this Act shall have to be registerred and fresh patta or periodic patta obtained from the District Council within such time and in such manner and on payment of such fee as may be prescribed.
(2) Failure to carry out the provisions of sub-section (1) and the rules there-under may entail cancellation of the pass or permit by the Executive Committee, provided due notice is served to the person concerned.

7. RIGHTS OVER LAND .— (1) The patta holder shall have heritable and transferable right of use on, or of sub-letting, in his land subject to—
   (a) the payment of all revenue and taxes from time to time legally assessed or imposed in respect of the land ;
   (b) such terms and conditions as are imposed by rules made under this Act;
   Provided that a periodic patta holder shall have such rights only during the term of the periodic patta.
(2) No person shall acquire by length of possession or otherwise any right over land disposed of, allotted or occupied unless registered and patta, or periodic patta obtained in accordance with the provisions of this Act.

8. REGISTRATION .— The Executive Committee shall maintain a register of land records in which all allotments of land shall be registered.

9. EVICTION .— (1) If any person is found to be in possession of land otherwise than in accordance with the provisions of this Act, the revenue Officer of the District Council may evict the person after serving a notice on him requiring him to vacate the land within three months from the date of service of the notice and to remove any building or fence which may have been raised on such land, subject to the condition
growing on the land may be allowed to remain till they are ripe for ensuing harvest.

(2) Any person aggrieved by an order under sub-section (1) may, within a

Executive Committee. Every order passed in appeal under this section shall be final.

10. PENALTY.— Any person found disobeying an order of requisition to vacate under section 9, shall be liable to a fine which may entend to Rs. 500/- and in case of continuing breach to a further fine which may extend to Rs 10/- for each day during which the breach continues.

11. RULES.— Subject to the previous approval of the Administrator, the Executive Committee may make rules for carrying out the provisions of this Act.

12. POWER OF ADMINISTRATOR TO GIVE DIRECTIONS. — The Administrator may, if he is of opinion that it is expedient in the public interest so to do, give such directions as he may deem necessary to the District Council, regarding the carrying into execution of the provisions of this Act, and in particular regarding the allotment of land for the purposes of the Government or for any other public purpose and the District Council shall comply with such directions.

13. REPEAL :— (1) The Pawi-Lakher Autonomous Region (Agricultural land) Act, 1959 (Act 1 of 1960) (hereinafter referred to as the said Act) is hereby repealed.

(2) Notwithstanding such repeal, and subject to the provisions of section 6, all actions taken, orders made or directions given under the provisions of the said Act shall be deemed to be taken, made or given under the respective provisions of this Act and subsequent actions, if any, with regard to any such action, order or direction shall be in accordance with the provisions of this Act.

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